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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 JOHN ROBERT DEMOS JR.,

9 Plaintiff,

10 v.

11 UNITED STATES ATTORNEY  
12 GENERAL, et al.,

13 Defendants.

Case No. C19-392-RSM

ORDER ADOPTING REPORT AND  
RECOMMENDATION

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15 This matter is before the Court on the Report and Recommendation (“R&R”) of the  
16 Honorable Michelle L. Peterson, United States Magistrate Judge. Dkt. #11. Plaintiff is subject  
17 to several pre-filing bar orders, including before this Court, and Judge Peterson recommends that  
18 the Court deny Plaintiff’s application to proceed *in forma pauperis* (“IFP”) because he does not  
19 demonstrate “imminent danger of serious physical injury.” Dkt. #11 at 1–2. Accordingly, Judge  
20 Peterson recommends that the Court adopt the R&R, deny the IFP application, and dismiss the  
21 case. *Id.*

22 Plaintiff has not objected to the R&R. Plaintiff has, however, filed a notice of appeal.  
23 Dkt. #12. While the filing is addressed to the Ninth Circuit Court of Appeals, it contains  
substantive argument such that the Court will treat it as objections out of an abundance of

1 caution. The filing is 83 pages. *Id.* Local Civil Rule 72 limits objections to R&Rs to 12 pages.  
2 LCR 72. Judge Peterson further limited Plaintiff to three pages in this case. Dkt. #11 at 2.  
3 Regardless, nothing within the first 12 pages appears to address the R&R or its conclusion that  
4 Plaintiff does not demonstrate “imminent danger of serious physical harm.” Dkt. #12 at 1–12.

5 Accordingly, and having considered the Report and Recommendation, Plaintiff’s Notice  
6 of Appeal, and the remainder of the record, the Court finds and ORDERS:

- 7 (1) The Court ADOPTS the Report and Recommendation (Dkt. #11).  
8 (2) Plaintiff’s application to proceed *in forma pauperis* (Dkt. #5) is DENIED.  
9 (3) Plaintiff’s claims are DISMISSED without prejudice for failure to satisfy the  
10 “imminent danger” requirement for three-strikes litigants under 28 U.S.C. § 1915(g).  
11 (4) This matter is CLOSED.  
12 (5) The Clerk is directed to send copies of this Order to Plaintiff and to Judge  
13 Peterson.

14 Dated this 29 day of April, 2019.

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17 RICARDO S. MARTINEZ  
18 CHIEF UNITED STATES DISTRICT JUDGE  
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